

**Planning and Zoning Commission
Meeting of May 27, 2015
Board of Supervisors' Meeting Room
County Administrative Center
219 East Cherry
Flagstaff, Arizona**

Members Present

Mark Buzzard – Chairman
Sat Best – Vice-Chair
Tammy Ontiveros
John Ruggles
Maggie Sacher
Don Walters
Mary Williams

Members Absent

Jack Doggett

Staff Present

Jason Christelman, Director
Bob Short, Principal Planner
Kate Morley, Sr. Planner
Zach Schwartz, Planner
Ashley DeBoard, Deputy County Attorney
William Ring, County Attorney
Melinda Rockhold, Recording Secretary

Chairman Buzzard called the meeting to order at 5:30PM. He explained procedures to the Audience.

I. APPROVAL OF MINUTES

April 29, 2015 – Motion: Commissioner Ontiveros moved to approve as written. Commissioner Ruggles seconded the Motion. Motion passed 7-0-1 with Commissioner Sacher abstaining.

II. PUBLIC HEARINGS

1. Case No. CUP-15-017: Renewal of CUP-05-24 without modification for an RV Park and campground. The property consists of 19 acres in the General Zone, is located one mile southwest of Jacob Lake west of Highway 67, and is identified as Assessor's Parcel Number 601-30-001.
Applicant: Joy and Gaylord Staveley, Flagstaff, AZ
Property Owner: Same
Supervisory District: District 5, Lena Fowler

Mr. Short stated conditions have been met and staff recommends approval for the renewal for the requested 15 years.

Joy and Gaylord Staveley, Applicants, were present for questions and agreed with the staff report. Chairperson Buzzard asked if they understood the conditions. Mrs. Staveley said yes.

There was no public comment.

Commissioner Ruggles stated he visited the site with staff and agreed with the 15 years approval.

MOTION: Commissioner Ruggles moved to approve Case No. CUP-15-017 as written. Commissioner Walters seconded the Motion. The Motion was unanimously approved.

2. Case No. CUP-15-019: Renewal of CUP-10-025 without modification for the operation of a water hauling business. The property consists of 8.42 acres in the General (G) Zone and is located on the east side of Oak Creek on the same parcel but south of Rainbow Trailer Park and Trout Farm, and is identified as Assessor's Parcel Number 405-30-001F and 405-30-002.
Applicant: Oak Creek Properties, Inc., Sedona, AZ
Property Owner: Same
Supervisory District: District 3, (Matt Ryan)

Mr. Schwartz stated Condition 9 lists a five year term. He noted all conditions have been met and if the Commission is agreeable, recommends a 10-year time frame.

Mr. Fritz Aspey, Attorney for the Applicant, 123 N. San Francisco St., Flagstaff, agreed with the staff report and asked the Commission for a 10-year time frame.

There were no questions for the applicant. There was no public comment.

Commissioner Ruggles noted he visited the site and agreed with the 10-year time frame.

MOTION: Commissioner Ruggles moved to approve Case No. Cup-15-019 modifying Condition 9 to expire May 27, 2025. Commissioner Ontiveros seconded the Motion. The Motion passed unanimously.

3. Case No. CUP-15-020: Renewal of CUP-10-024 for the Living Springs Camp. The property consists of 11.5 acres in the General (G) Zone and is located on the east side of Oak Creek south of Rainbow Trailer Park and Trout Farm, and is identified as Assessor's Parcel Numbers 405-31-007B and 405-30-001K.
Applicant: Oak Creek Properties, Inc., Sedona, AZ
Property Owner: Same
Supervisory District: District 3 (Matt Ryan)

Mr. Schwartz noted there have been several renewals, each for five-year terms. The Applicant has always been in compliance. He recommended a ten year time frame if the

Commission chooses.

Commissioner Best asked if there was a fire exit strategy. Mr. Schwartz noted there are multiple exits from the property. Old Indian Road is an additional exit. Thinning of the property was not noticed when staff visited the site. Mr. Schwartz stated the Fire Marshall had gone down Old Indian Road in the past to make sure emergency vehicles could access the site.

Commissioner Ruggles stated when he went to the site he noted a large amount of the property are deciduous trees.

Fritz Aspey, Attorney for the Applicant, 123 N. San Francisco St., Flagstaff, agreed with the staff report and asked for the ten year time frame. The CUP has been renewed four times previously. Mr. Aspey noted there are two accesses to the property, Old Indian Road and Highway 89. Mr. Aspey added his client, Dan Delaney, offered his property for use to the fire fighters in last year's fire event.

There was no public comment.

Commissioner Ontiveros stated she supports the ten year time frame. Staff noted there have been no complaints since 1982. Commissioners Walters and Ruggles agreed.

MOTION: Commissioner Ontiveros moved to approve Case NO. CUP-15-020 amending Condition 12 to expire May 27, 2025. Commissioner Walters seconded the Motion. The Motion passed unanimously.

4. Case No. CUP-15-014 and DRO-15-001: A request for a Conditional Use Permit and Design Review Overlay to allow for a steel, well-house building on a .57 acre parcel in the AR (Agricultural Residential) Zone. This property is located at 7839 E. Moonbeam Drive and is identified as Assessor's Parcel Number 301-83-116.
Applicant: Rek Guthery
Property Owner: Doney Park Water, Flagstaff, AZ
Supervisory District: 4 (Mandy Metzger)

Mr. Schwartz summarized the staff report along with a PowerPoint Presentation. Staff is recommending approval. The Commission had no questions for staff.

Rek Guthery, Doney Park Water, agreed with the staff report and conditions.

There was no public comment.

Commissioner Ruggles stated the proposal is an improvement from what is existing.

MOTION: Commissioner Ruggles moved to approve Case NO. CUP-15-014. Commissioner Ontiveros seconded. The CUP passed unanimously.

MOTION: Commissioner Ruggles moved to approve DRO-15-001 as written. Commissioner Ontiveros seconded the Motion. The Motion passed unanimously.

5. Case No. CUP-15-018: A request for Conditional Use Permit to establish a rock, sand and gravel yard with a caretaker's residence. The property is located at Lot 16, Babbitt's Moenave Center in the M1-10,000 (Light Industrial) Zone within a County island in Tuba City and is identified as Assessor's Parcel No. 802-04-021. Applicant: Cataract Natural Reserve Land, Flagstaff, AZ
Property Owner: Same
Supervisory District: District 5 (Lena Fowler)

Ms. Morley summarized the staff report along with a PowerPoint presentation. Staff is recommending approval. The Applicant is asking for a ten-year time frame but staff is recommending five years which is standard for this type of use.

Commissioner Williams asked if fencing or screening next to residential property is recommended. Ms. Morley said hardscaping is being required on the west side for this first time period. Staff is proposing the Applicant does submit a landscape plan but ask for a waiver from some of the requirements. Commissioner Williams asked if screening of the gravel would be required. Ms. Morley said staff is recommending decorative boulders. Slatted fencing would not survive the environment. The piles of rock are not to be higher than six feet. Upon renewal, the site and landscaping will be reviewed.

Commissioner Ruggles asked why a five year time frame was recommended per staff. Ms. Morley stated that is what has been historically approved for other gravel yards.

Commissioner Ontiveros referred to Condition 8 and asked if an official waiver from landscaping requirements should be listed. Ms. Morley said yes.

Bill Cordasco, Applicant's representative, PO Box 520, Flagstaff, appreciated staff's recommendation. There were no questions for Mr. Cordasco.

Charlie Parker, owner of Tuba City Mobile Home Park and additional properties in the vicinity, 832 Southmont Drive, Denton, Texas, agreed with the request and thought this was an improvement for the area. Mr. Parker agreed with hardscaping. He noted drainage is a challenge which is primarily caused by large culverts that push the water onto the County Island. He wanted staff and the Commission to be aware of the storm water issues.

Loretta Chino, Navajo Nation, Planning and Zoning Commission, PO Box 3255, Tuba City, AZ 86045, asked if the caretaker will reside on the lot. Ms. Morley said yes. Ms. Chino said if there is a caretaker fencing should be required in an effort to keep animals off the site. She noted the previous company on site created a lot of sand which caused a

lot of breathing problems. Ms. Chino added the culverts are full of debris which causes drainage issues. The BIA will not assist in any way. She is also working on the flood plan for Tuba City and is willing to work with County staff. Ms. Chino asked if staff had contacted the Tuba City Chapter President. Ms. Morley said an email had been sent to the Chapter House.

Velma Maloney-Begay, resident of Tuba City, 1704 White Mesa Drive, Tuba City, and Secretary/Treasurer for the Tuba City Chapter. She liked the proposal and noted the site has been an eyesore. She welcomes and supports the proposal. Dust is the biggest concern. Ms. Maloney-Begay noted there are many elders who live in the vicinity. She added it would be a welcome business for local residents to get gravel. She agreed with Ms. Chino's comment regarding fencing and animals.

Commissioner Ontiveros noted to those who commented Condition 6 addresses dust issues and hopefully will be addressed.

Commissioner Walters asked Mr. Cordasco back to the podium. He asked Mr. Cordasco to address the dust, fencing and road maintenance. Mr. Cordasco noted they are planning to address those issues. The gravel they are planning to use is large which shouldn't blow particulates. There will be one family on the site so that should not cause much traffic. Mr. Cordasco noted this is a very different operation than what has been in the past and impacts should be less. The business is meant for local residents to get gravel. He felt the fencing was addressed in the staff report. Mr. Cordasco added this County Island is in Tuba City and they do want to participate in the community. The site needs to be cleaned up.

Commissioner Ontiveros referred to Condition 8 requiring landscaping but asked what the plan was for fencing. Ms. Morley said staff has not included any fencing requirements, only hardscaping on the northwest portion of the property. Mr. Cordasco added they will be fencing the gravel storage area.

Commissioner Best asked about the drainage issue. Mr. Cordasco noted it is the whole region. Efforts have been made by someone. They do want to participate in that effort as well. He added water comes from many directions.

Commissioner Ruggles asked how much fencing still exists. Mr. Cordasco said it was only barbed wire fencing.

Ms. Chino added children do play in the area now but it is the animals who need to be fenced out of the site. The Chapter is in support.

The floor was closed for public comment.

Commissioner Ontiveros asked staff how to include verbiage for fencing. Ms. Morley noted the Commission has several options. They can add a condition to have fencing just

around the home, the entire perimeter of the property or just the gravel storage area. The Commission can also address the type of fencing. Commissioner Ontiveros thought fencing the gravel storage yard as noted by Mr. Cordasco was a good idea. Chairman Buzzard felt it should be left up to the Applicant. Several Commissioners agreed.

Commissioner Ruggles asked if it should be at the discretion of the Director of Community Development when the hardscaping plan is discussed. Ms. Morley suggested adding a condition stating fencing shall be installed subject to the approval of the Director of Community Development if the Commission wants some sort of fencing. Staff can work with the applicant on which areas and what type of fencing.

Commissioner Walters noted the Applicant is trying to improve the site and believes it should be left to the Applicant. Hardscaping is the main thing. If animals come onto the site, they will deal with it. Commissioner Sacher noted the Applicant is very reputable and would personally leave it up to the Applicant to do what they think is best. That might be a reason to keep it at a five-year term.

MOTION: Commissioner Ontiveros moved to approve Case No. CUP-15-018 modifying the first sentence in Condition 8 to add “A landscaping waiver is granted.” Commissioner Walters seconded the Motion. The Motion passed unanimously.

6. Case Nos. SUB-15-002 and ZC-15-002: A request for Preliminary Plat approval for a 61 lot subdivision (Johnson Ranch Subdivision). The property consists of one parcel containing 115.54 acres in the Agricultural Residential 2 ½ (AR) Zone (2.5 acre minimum parcel size). This request includes a Zone Change to Planned Residential Development (PRD) Zone to allow for one acre lots. The property is located at the intersection of Highway 89 and Landfill Road in the Timberline-Fernwood area and is identified as Assessor’s Parcel Number 301-31-003A.
Applicant: D & G Development, LLC, Flagstaff, AZ
Owner: Same
Supervisory District: District 2, (Liz Archuleta)

Mr. Short read the staff report along with a PowerPoint Presentation. Mr. Short noted the Fire Chief has stated a secondary access is not needed because of the lack of Forest and fire hydrants provided but the developer will develop an emergency access to an existing access on Landfill Road and apply for a Forest Service Encroachment Permit. One waiver is requested regarding block length. Staff recommended this loop road system and listed those reasons. Staff is recommending approval with three separate motions. Mr. Short stated the applicant asked Condition 2 to be changed to ten feet setback from open spaces and staff thought that would be sufficient.

Commissioner Williams questioned this being the last large undeveloped parcel. She noted there were other parcels 30 and 60 acres undeveloped and disagreed this being the last large site to be developed within the Doney Park Area Plan. Mr. Short said that was his understanding but he could check.

Commissioner Best referred to Page 9 of the staff report, PRD Findings of Fact. He noted most of the lots would be laid out north-south which is not the best for solar orientation. He asked how staff supports that Finding. Mr. Short stated he received the solar study from the Applicant yesterday. The area is wide open, there are not many trees and did not think orientation of the lots would hinder solar possibilities.

Christine Laguna, Civil Engineering and Design, Flagstaff, and Christine Garrison, D&G Development, Flagstaff, stated they did an independent survey to ensure they will incorporate as much sustainable requirements as possible. They also met with Amanda Acheson, Coconino County Sustainable Building Program Manager. Ms. Laguna stated the goal of the solar report was to identify the orientation of the building to maximum solar. Ms. Laguna explained the report and results. Ms. Laguna added the document will be attached to the CCRs for a resource for the property owner. Ms. Garrison added they have worked with staff, neighbors and engineering and believes they have come up with good design that will be good for the neighborhood and addresses flooding issues. Ms. Laguna noted 61 lots are proposed. She noted the perimeter parcels are 2.5 acres and there will be a 60 foot wide buffer left as open space. Adjacent neighbors out of the subdivision will have a 70 foot buffer. Ms. Garrison added every lot has connectivity to the trail and to Forest Service and open space.

Commissioner Williams asked how adding 12% density will make housing more affordable. Ms. Garrison said their intent is to make it more affordable by spreading infrastructure costs as much as possible.

Commissioner Best referred to the community open space and asked if there were any amenities. Ms. Garrison stated as the developer she will inject an amount into the HOA fund and let the people who live there decide how they want to use the funds and create what they want. Ms. Garrison added there will eventually be a school bus stop.

The floor was opened for public comment.

Susan Hepler, 10550 N Swede Lane, Flagstaff, disagreed with staff's percentages in the increased number of lots. Ms. Hepler asked if the existing drainage area will stay that way. She added just because it was one of the last large parcels that isn't a reason to develop it.

Fred Weers, 6185 Kaitlin Way, Flagstaff, stated this proposal has come a long way from the original proposal. He felt the 2.5 acre perimeter parcels boarding adjacent property is a positive step. He appreciated the work and effort everyone has done to bring to the proposal to a resolution that is satisfactory.

Daryl Bennett, PO Box 3094, Flagstaff, stated he lives directly west of the proposed site. He is saddened to see the site developed but development happens. He asked if there will be a Home Owners Association. It was noted there will be. He appreciated everyone's efforts in keeping the long stretch of property that was a flooding concern and keeping

some of the history of the property. He was in support of the new proposal. Mr. Bennett noted his concern regarding road design over the main gas line.

The floor was closed for public comment

Commissioner Williams said the plan is a great improvement and everyone has worked hard to improve the first plan. She stated she had a difficulty with the increased density beyond 20% and the disregard of the Doney Park Area Plan. She noted the huge citizen participation effort and the Doney Park Area Plan should be held with the respect it deserves. Commissioner Williams noted the document is referred to in many cases. She add the previous Case heard, Doney Park Water, the Area Plan was referred to three time. She cannot support the request because of the density increase. The decision will also reflect on the next development wherever it may be.

Commissioner Walters noted the open space in the proposal. He felt the Applicant and their Engineer had done an excellent job in addressing issues. Commissioner Walters said they have increased the development but cluster development is preferred and the intent is to make a quality development. Commissioner Williams agreed it is a quality development but her issue is increasing the density from 20% to 33%. She felt is will set precedence. She had no issues with the Zone Change request.

Chairman Buzzard understood Commissioner William's concern but felt on a land usage basis the overall design and concept is acceptable. It is only six more lots. Chairman Buzzard noted it is an Area Plan, not an Ordinance. There should be smaller lots available. You cannot be concerned with the next developer's proposal on a different lot. Chairman Buzzard stated he liked the mixed use of the proposal and noted not everyone should have or wants 2.5 acres. The design uses the land appropriately.

Commissioner Ruggles agreed with Chairman Buzzard and Commissioner Walters. The new proposal is a compromise that is needed to get a quality development.

Commissioner Best felt the concerns of neighbors have been taken care of. He understood Commissioner Williams' concerns and he felt six extra lots is not extreme. The applicant has solved the issues he had with the previous design. Wildlife should be kept out and agreed with the wildlife corridor. The applicant has gone as far as they can go with sustainability. It is a great location with sunshine and people should take advantage of that. Commissioner Best said he was concerned with any potential fences along Highway 89 and proposed a condition noting any fences along Highway 89 should be built and maintained by the HOA to keep fencing maintained and look nice. He would also like to add a condition regarding limited soil disturbance during infrastructure construction. Commissioner Walters noted the developer is a contractor and will be doing part of the work. Commissioner Best proposed a condition to read: "Infrastructure construction plans will include fencing and other barriers approved by staff to limit soil disturbance".

Commissioner Sacher said she agreed with Commissioner Williams. The only reason she can approve the request is because of the cluster design and having open space. There are limited times when area plans can be set aside for the overall good. Commissioner Sacher did not agree with the fencing along the Highway being done by the HOA. Possibly include in the CCRs to have HOA approval. The same desire could be accomplished. Commissioner Best agreed with that. Mr. Short added the open space along Highway 89 is 30 feet wide. Fencing would be 30 feet back from the Highway. He did not believe a perimeter fence was proposed. Mr. Ring clarified the Commission was referring to Lots 1, 3, 4, 5, and 6 would be constructed by the developer and maintained by the HOA. Commissioner Walters said he was only agreeable if approved by the Applicant. He did not want to further burden the Applicant. Commissioner Best said he wanted conformity for the fencing along the Highway. Chairman Buzzard asked Ms. Garrison to approach the podium.

Ms. Garrison stated there will be an architectural review committee. Housing design and fences will be reviewed. They can stipulate those particular lots have the same type of fence. It will be in the design standards and in the CCRs fences to be maintained.

Commissioner Ruggles added there is a 30-foot buffer. In addition, the right-of-way extends beyond the pavement. He added the property is below the grade level of the Highway.

Chairman Buzzard noted the 10-foot setback requested by the applicant. The Commission noted the large buffer already and agreed with the 10-foot setback. Chairman Buzzard agreed with Commissioner Best regarding sustainability practices and encouraged the Applicant to have resource information available to their clients.

Commissioner Ontiveros concurred with Commissioner Sacher regarding cluster development and did not have an issue with the six additional lots. She agreed with the 10-foot setback requested by the applicant and would also like to see the same fencing for the lots along Highway 89.

Commissioner Williams referred to Condition 15 and asked to include horses in the first sentence. Mr. Short stated the reason he omitted horses from the Condition is because the trail would be gravel and not good for horses. Commissioner Williams stated pavement is not any better. Commissioner Williams would also like to add to the end of Condition 15 the CCRs shall specify that OHVs shall be limited to paved roads. The Commission agreed.

Commissioner Williams stated she agreed with the Zone Change and Waiver but did not support the additional density over 20%, therefore would not vote in support of the preliminary plat.

MOTION: Commissioner Best moved to approve Case No. ZC-15-002 for a Zone Change from AR 2.5 to PRD. Commissioner Walters seconded the Motion. The Motion

to approve the Zone Change was unanimous.

MOTION: Commissioner Best moved to approve the waiver request for Case No. SUB-15-002 for the extended block length to 3,394 feet. Commissioner Ruggles seconded the Motion. The Motion was unanimously approved.

MOTION: Commissioner Best moved to approve Case No. SUB-15-002 with the conditions listed by staff, amending Condition 2 to allow structures to have a 10-foot setback from open space easements; Condition 15 to include horses in the first sentence and add an additional sentence at the end of Condition 15 to read: "The CCRs shall specify that OHVs shall be limited to the paved roads". A 26th Condition added to read: "Infrastructure construction plans will include fencing or other barriers approved by staff to limit soil disturbance." And lastly adding a 27th Condition to read: "Standards for construction and maintenance of fences on the west side of Lots 1, 3, 4, 5, and 6 shall be managed by the HOA." Commissioner Sacher seconded the Motion. The Motion passed with a vote of 6-1, with Commissioner Williams voting nay.

Chairman Buzzard asked Ms. Laguna and Ms. Garrison if they understood the changes and additions to the Conditions. Ms. Laguna and Ms. Garrison said yes. Chairman Buzzard noted the Cases will go onto the Board of Supervisors with the Commission's recommendations.

7. Case No. ZC-15-003: A request for a Zone Change from Agricultural Residential 5 (AR-5) [with a five-acre minimum parcel size] to Agricultural Residential 2 (AR-2) Zone [with a 2-acre minimum parcel size]. This property consists of 4.7 acres in Doney Park and is identified as Assessor's Parcel No. 301-32-009G.
Applicant: Terrence Gee, Fort Worth, TX
Property Owner: Same
Supervisory District: District 2, (Liz Archuleta)

Mr. Short explained staff is recommending a continuance due to incorrect Public Noticing. He stated it was noticed to be rezoned to AR-2, Agricultural Residential, 2 acre minimum but the request should be AR-2.5, 2 ½ acre minimum.

There were no questions for staff. There was no public comment.

MOTION: Mr. Walters moved to continue Case No. ZC-15-003 until the June 24th meeting. Commissioner Ruggles seconded the Motion. The Motion to continue was unanimous.

8. Case No. AB-15-003: A request for an Abandonment of an easement parcel described as 'First Parcel' in Docket 238 page 636 in Section 15, T23N, R2E and to create a new 80-foot wide easement for the existing paved alignment for Espee Road near Red Lake. The property is described as a portion of the south half of Section 15, T23N, R2E, G&SRM, Coconino County and is identified as Assessor's Parcel Number 202-05-002A.
Applicant: Perrin Ranch LLC, Williams, AZ
Property Owner: Same
Supervisory District: District 1, (Art Babbott)

Mr. Short summarized staff report along with a PowerPoint presentation. Staff is recommending approval.

There were no questions for staff.

Michael Macauley, 3445 N. Shafer Lane, Flagstaff, explained the request is a paper correction. The road was built by the County many years ago. This corrects the legal description of the road. Mr. Maccauley said he agreed with the staff report.

MOTION: Commissioner Ontiveros moved to approve Case No. AB-15-003 as written. Commissioner Walters seconded the Motion. The Motion passed unanimously.

III. CALL TO PUBLIC FOR ITEMS NOT ON THE AGENDA

There was no public present for comment.

The hearing adjourned at 7:36PM.

Chairperson, Coconino County
Planning and Zoning Commission

ATTEST:

Secretary, Coconino County
Planning and Zoning Commission

